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The open door movement and the protection of...

[London]

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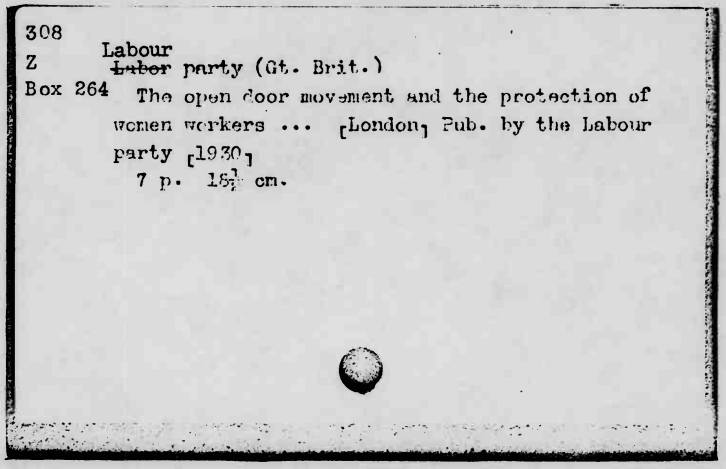
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The Open Door Movement

and

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The Open Door Movement
and
The Protection of Women Workers

THE movement for protective legislation has been essentially a practical movement and has not been concerned so much with the sex of the worker as with his or her immediate needs. The earliest legislation on hours after the Industrial Revolution dealt with groups of exploited children. One of the latest laws with regard to hours deals with those of underground miners. In the main, it may be said that legislation has been sought for groups of workers for whom it has been found that their organisation, or some particular condition of their lives, or the economic conditions of their families or their industry, made it impossible for them to withstand effectively unreasonable demands made by employers.

Protective legislation has always found some opponents who have based their opposition on ideas of liberty, freedom or equality, and who have thus assisted the reactionary opposition of employers who have for quite other reasons fought against these restrictions on their power to exploit. Those Liberals who opposed the earliest factory legislation did so in the name of economic law and the right to individual freedom. That opposition was maintained through the greater part of the last century. The Women's Trade Union League, in its earliest days, when it was a small organisation which had little contact with women workers and was wholly under the influence of middle-class women, maintained the extraordinary attitude which demands freedom for the employer to exploit women's labour in the name of equality for the sexes. But so soon as it began to gather women together under the banner of trade unionism, so soon as the working women's own desires began to dominate it, the view changed, and

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it became imbued with the ideas of protective legislation in the form in which we now advocate them. The attacks against protective legislation were for a time lessened because suffrage occupied the whole attention of the middle-class women's organisations.

The earlier development of the suffrage agitation was closely linked with the demand for Higher Education for women and their entry on equal terms with men to the professions. This was mainly a struggle of middle-class women for emancipation and the right to a career, and was only in its later years joined by the movement amongst working women in political and industrial organisations. So soon as the suffrage was won, the women of the middle-class organisations naturally sought some outlet for their energies, and some of them found it in applying to the needs of working women the principles they had successfully applied to the needs of women of the middle class in their struggle to win their way into the Universities and the professions. Thus the agitation against protective legislation was restarted, and soon found its extreme expression in the Open Door Council, which was formed in 1926. There are at the present time no leaders of this movement with industrial experience as workers, as representatives of workers or as administrators of industrial legislation.

Equality of Women

Working women's organisations have frequently expressed their demand for equality of opportunity and for the development of a better social point of view with regard to women's position in our world. They think it unjust that men and women working at the same job with the same results should be paid differently, as they are in some employments. But this agreement with the feminist point of view does not extend to the further statement that it is because of protective legislation that women are paid different rates from men. Indeed, there is one important industry in which women and men get the same rates of pay, that of weaving, and that is the very industry to which protective factory legislation was first applied. Working women's demands for equality are tempered with a knowledge of the facts of industry, and while now and again they may agree in some demand for equality even with the extremists of the Open Door Council, they cannot

too strongly condemn the reactionary and disastrous theory that all protective legislation should be swept away unless men and women can be included in it on the same terms.

The conflict of ideas between the middle-class professional outlook and the working-class industrial point of view may best be expressed by pointing out that the professional woman works for the most part as an individual without an employer, and has, therefore, a certain power to make rules for herself. The woman in industry works as a member of a group for an employer, and must, if she desires to improve her conditions, do so as a member of an organisation which secures a common rule affecting all the workers in the group alike. The whole basis of Trade Unionism is this acceptance of the "common rule."

The Open Door Council

The Open Door Council was formed as a result of a disagreement with another feminist body, the National Union of Societies for Equal Citizenship, which took a less extreme view on this question of protective legislation. The Council which consists of individual members states its objects thus :—

> "To secure that a woman shall be free to work and protected as a worker on the same terms as a man, and that legislation and regulations dealing with conditions and hours, payment, entry and training, shall be based upon the nature of the work, and not upon the sex of the worker, and
> "to secure for a woman, irrespective of marriage or childbirth, the right at all times to decide whether or not she shall engage in paid work, and to ensure that no legislation or regulations shall deprive her of this right."

Its propaganda has been extensive, though it has never succeeded in detaching from its beliefs a single Labour organisation. A few individual Labour women of the middle-classes have joined it. It has had close relations with an American organisation of a similar kind, which publishes a journal called *Equal Rights*, and both of these have spent considerable funds in spreading their views. In June, 1929, the British organisation called a conference in Berlin to form an International Open Door Council,

and this body has now opened headquarters at Geneva with the same object.

In describing its work at Geneva, its representatives have stated :—

> "A determined effort is to be made to get more women appointed as delegates to Labour Conferences and to gain a stronger voice in the affairs of the Labour Organisation. It is admitted, however, that 'the struggle for economic equality for women with men promises to be even harder than the long and still unfinished struggle for the vote.' "

It will endeavour to prevent legislation such as the Maternity Convention, Prohibition of Night Work for Women, and the Convention establishing machinery for Minimum Wage Fixing, unless it makes it compulsory to establish equal rates for equal work for men and women in all awards. At the same time, the National Branches will oppose all similar legislation, including various provisions in factory regulation in their own countries.

All these activities when seen in their exact terms have little influence on working women who are industrial workers or who know industrial conditions. But they have perhaps a certain attraction when put in broad terms as a demand for equality for women, because we all want equality. The question we have to study is, how equality can be achieved in relation to the facts of industry and social life as we know them to-day.

Contrasting Policies

The folly of the Open Door Council is obvious when we consider some of the laws which they wish to repeal in Great Britain.

(a) Prohibition of the employment of women underground in mines. As this cannot be extended to men they think the prohibition should be abolished.

We consider that no employer should be allowed to work women underground in mines, and that if it had not been for this law, women would probably still be working in them.

(b) Prohibition of night work for women. They frequently state that women should do as they like about this. They say that nurses can work at night, why then should not any other women?

Our reply is that the industrial worker of to-day is not a free agent, for economic reasons. The employer must be prohibited from making unreasonable demands upon workers who would suffer if they had to carry them out. All scientific investigation has shown that women do suffer in health if they work at night; it has very bad effects on young women, while those with household duties get insufficient rest during the day time. Moreover, the women who are workers would be the first to protest against any repeal of this law. We want it extended for men as well, and not relaxed in any way. The analogy of the nurse is a false one. The nurse is compelled to work at night—it is often a matter of life and death. She also has very definite and carefully arranged hours of rest. Even then nurses, especially when young, often do suffer in health from night work. In hospitals there is usually a special hostel for nurses and quiet sleep and meals at suitable times and open air exercise are carefully regulated. None of these conditions are obtainable in ordinary working-class life. Further, in factory employment there is no necessity for such work to be done, save in particular emergencies, or in relation to continuous processes. These should be reduced to the barest minimum. (See also paragraph (d) below.)

(c) Repeal of the prohibition now laid on employers that they may not knowingly employ a woman for four weeks after childbirth. The woman, they say, is thus put at a disadvantage with men workers. She should be left free to do as she likes.

We, on the other hand, want to strengthen and extend the prohibition to six weeks with a further provision that a woman may leave her employment without losing her job six weeks before childbirth is expected. Together with this we want a provision under the Health Insurance Act for maintenance for the woman and her child and nursing and medical care.

The compulsion on the employer is essential for the full protection of the woman. We cannot have equality between men and women where maternity is concerned, and the woman must be adequately protected against being forced to do what is bad for her own and her child's health.

(d) The Open Door Council opposes certain additional provisions in the proposed Factory Bill. The most important of these are in regard to weight-lifting.

They wish no regulation for women, because they declare that women are the best judges of what they can lift themselves, and again they take nurses as an example. They say that *they* are trained to lift heavy weights so other women can be.

This shows very clearly their ignorance of industrial conditions. Weight-lifting cannot be regulated in a factory to suit each worker, and to carry weights is very different from lifting or turning a patient in bed. What is necessary is to fix a general standard which can reasonably be expected to suit every woman, and if it is lighter than an occasional woman may manage, still harm is not being done to the majority. The comparison with nurses is misleading. Every nurse has to undergo a very careful and stringent medical examination before she is even accepted for training. A very large number are refused. It would be harsh indeed to institute such an examination for every industrial woman worker.

We are in favour of regulations for weight-lifting for men if they can be satisfactorily devised.

(e) They also oppose regulations for women in regard to dangerous and poisonous trades. They are especially against the prohibition of employment of women in processes using lead.

While we would prefer an extension of the prohibition to men also, we still believe that we should keep the protection for women.

(f) Finally, there is the statement, so often made by the Open Door Council, that women's wages and opportunities of employment have been lessened in comparison with men's by protective legislation.

This argument springs from unfamiliarity with the lives and conditions of the workers as they actually are. Some leisure and well-being are necessary in order that workers may even organise to resist exploitation. Experience has shown that it is in the trades most subject to regulation that women have most advanced towards equality with men. In fact, woman's scope of work is widening, and it is rather custom than law which she has to fight to-day.

We do not say that women have not still milestones to pass on the way to freedom and that vigilance is not

required to secure proper provision for their complete emancipation. But the road of the Open Door Council leads in the wrong direction.

Its policy is against the interests of industrial women workers, and we should continue to support the improvement of protective legislation for women both as workers and mothers employed in industry. At the same time we point out to our women workers that they can only be adequately protected if, in addition to protection by laws, they are organised industrially. Meanwhile through their political organisations it is important that they should exercise constant vigilance in order to assure themselves that any legislation proposed which affects their industrial welfare is in accordance with their best interests, meets their needs and helps them in their struggle for better conditions and against exploitation.

NOTE.—The above report was presented by the British Labour Party representatives to the Women's Committee of the Labour and Socialist International at its meeting on January 11 and 12, 1930. A resolution on the lines of the concluding paragraph was adopted with the support of representatives of the following countries :—Austria, Belgium, Czecho-Slovakia, Germany, Great Britain, Holland, Poland and Switzerland.

January, 1930.

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